

# **Def.'s Ex. 5**

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

TEMOR S. SHARIFI,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant

)

)

) No. 16-1090 L

)

) Judge Victor J. Wolski

)

) *Electronically filed on April 10, 2017*

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**DECLARATION OF BARRY F. HUGGINS**

I, Barry F. Huggins, make the following declaration:

1. I am over the age of 18 and legally competent and capable of making this Declaration. I have personal knowledge of the facts contained in this Declaration.
2. I am currently a Colonel in the United States Army assigned to Fort Belvoir, Virginia.
3. I served on active duty in the United States Army for 32 years. During that time, I deployed as the Commander, 2d Stryker Brigade Combat Team, 2<sup>nd</sup> Infantry Division (2/2 SBCT), in support of the International Security Assistance Force (ISAF). I was deployed in that position from April 2012 until January 2013. I was responsible for conducting combat and security assistance operations in the northern half of Kandahar Province, including Kandahar City.
4. In approximately September 2012, I signed a document, SUBJECT: Intent for Permanent Transfer of COP Millet. The stated purpose of the document was to memorialize the intent of the International Security Assistance Force (ISAF) to transfer Combat Outpost (COP) Millet to Police Sub-Station 13, Kandahar City Police Headquarters, which was to receive possession and control of COP Millet upon completion of joint inspection. The document also states the intent to absolve ISAF forces of any responsibility for the facility, contracts for services, or the land on which it is located.
5. The above-referenced document is attached to this Declaration as Exhibit A. Exhibit A is a true and accurate copy of the original document I signed in September 2012.

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of March 2017.

*Barry F. Huggins*

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Barry F. Huggins

# **Exhibit A**

COMBINED TASK FORCE LANCER  
2D STRYKER BRIGADE COMBAT TEAM, 2D INFANTRY DIVISION  
CAMP NATHAN SMITH, AFGHANISTAN  
APO AE 09367

سر صفحه رسمی از طرف لواه و کندک قومندانی ساحوی

STATEMENT OF INTENT

متن هدف

FOR THE TRANSFER OF COP MILLET

بر ای بستن/ انتقال قرارگاه پیشرانده شده/ قرارگاه محاربوی/ پوسته نظارتی

SUBJECT: Intent For Permanent Transfer of COP Millet

موضوع: هدف بستن یا انتقال دائمی (پوسته نظارتی)

1. The purpose of this document is to memorialize the intent of the International Security Assistance Force (ISAF) to transfer COP Millet: Specifically, Police Sub Station 13, 3<sup>rd</sup> KDK, 3<sup>rd</sup> Garrison, Kandahar City Police Headquarters intends to receive possession and control of COP Millet at the date listed below, and absolves ISAF forces of any responsibility for the facility, contracts for services, or the land on which it is located.

1. هدف این سند یادآوری توافق میان طرف ها می باشد: قواه وظیفوی آیساف، قول اردوی اردوی ملی افغان، زون 3 پولیس ملی افغان، دفتر والی ولایت کندهار، و دفتر والی ولسوالی (برای انتقال اضافه گردد) مخصوصاً، جزء و تام کندهار سوم و گارنیزون سوم قول اردوی قومانداری هدف دارد تا مالکیت و کنترول (اسم تاسیسات) یوسر کندهار در یک تاریخ که تعیین خواهد گردید در دست گیرد، و قوای آیساف را از هرگونه مسئولیت های تاسیسات، قرارداد های خدماتی، یا زمین که در آنجا موقعیت دارد مبرا سازد.

Base	Nominated for:	Unit	Tentative Date
بیز	نامزد گردیده برای:	جزء و تام	تاریخ آزمایشی
COP Millet Transfer	انتقال پوسته نظارتی یا قرارگاه	3 KDK, 3 <sup>rd</sup> Garrison, PHQ	25 SEP 12
		کندهار سوم و گارنیزون سوم قومانداری	۱۳ سپتامبر ۲۰۱۲

2. All parties intend to transfer the above listed facility located in Kandahar City, Kandahar Province in a timely and efficient manner.

2. همه طرف ها به انتقال به موقع و موثر تاسیسات که در ولسوالی کندهار، ولایت کندهار موقعیت دارد توافق می نمایند.

3. Nothing in this statement alters or amends the parties' rights or obligations pursuant to the Military Technical Agreement, or any other real estate instrument between the parties.

3. هیچ چیز در این تعهد باعث تغییرات یا اصلاحات در حقوق یا وظایف طرف ها متعاقب به موافقتنامه تاکتیکی نظامی، یا کدام سند دیگر مالکیت حقیقی در بین طرف ها نمی گردد



BARRY F. HUGGINS  
COL, IN 2-2(SBCT  
Commanding  
والی ولسوالی